

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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BRIAN P. HUNT,

Case No. 3:13-cv-00040-MMD-WGC

Petitioner,

ORDER

v.

BRIAN WILLIAMS, et al.,

Respondents.

The Court directed petitioner to decide what to do with his unexhausted grounds for relief. Petitioner has submitted a motion to dismiss and return to state court to exhaust remedies. (Dkt. no. 47.) The Court will dismiss this action without prejudice. The Court makes no statement about whether state law would bar consideration of another state habeas corpus petition, and the Court makes no assurances about the timeliness of a subsequently filed federal habeas corpus petition.

It is therefore ordered that petitioner's motion to dismiss and return to state court to exhaust remedies (dkt. no. 47) is granted. This action is dismissed without prejudice. The Clerk of the Court shall enter judgment accordingly.

It is further ordered that a certificate of appealability is denied.

DATED THIS 6<sup>th</sup> day of July 2015.



MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE